UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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3692	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 March 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-26 and 52-71* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-26 and 52-71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *7/24/03, 3/21/05, 3/24/05, 8/4/06, 9/12/06*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37

CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been

timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR

1.114. Applicant's submission filed on 3/10/2008 has been entered.

2.   Claims 1-20, 27-51 has been cancelled and claims 52-71 has been added and claims , 21-

26 and 52-71 are remained pending.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness
rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4. Claims 11, 13-26 and 50-51, are rejected under 35 U.S.C. 103(a) as being unpatentable over

by Kaehler et al (Hereinafter Kaehler 6, 089, 284) in view of DeLorane et al (Hereinafter

DeLorane 5, 948, 040).

As per claim 21, Kaehler discloses a method for enrolling users in a transaction processing

program, comprising:

receiving transmitter identification data and payment information from a customer transponder to

a point-of-sale device, electronically associating said transmitter identification data with said

payment information (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9) transmitting

said associated transmitter identification data and said payment information to a host transaction

processing system (see column 12 lines 28 -65 and column 19 lines 3-67) comprising said

associated transmitter identification data and said payment information in said host transaction

processing system. (see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65

and fig: 9).

Kaehler fail to explicitly teach electronically enrolling a user associated with the a

customer transponder by storing enrollment data.

However DeLorane discloses in FIG. 2 and further disclosed relative to ACCTS in FIG. 4 and to FIG. 8, the Accounting Subsystem manages ACCOUNTING DATA within the simple relational data structure shown in FIG. 3. ACCOUNTING DATA is involved in various transactional operations in TRIPS, such as: (1) user registration or member enrollment, plus the related "free" versus "valuable" access/output differentials; (2) accounting for travel service/information transactions, and other compensable exchanges among TRIPS site operators, retail users and/or participating third-party providers, for purposes of invoicing and billing in accord with standing TRIPS site policies and contractual arrangements; and (3) tracking and dispensing statistical data or "ratings" for the TRIPS online or Internet site usage or "hits" on the overall site and/or specified parts thereof--as an index or measure of participation and/or promotional value. These TRIPS transactional data functions are detailed hereinafter, referring particularly to FIGS. 4 and 8.(see column 30 lines 18-36 and column 33 lines 53-67 and column 34 lines 1-4 and column 7 lines 66-67 and column 8 lines 1-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kaehler to include electronically enrolling a user associated with the a customer transponder by storing enrollment data taught by DeLorane in order to provide a completely integrated system that enable an individual to plan, review, locate, schedule and select or execute customized or personalized travel arrangements and activities in association with map displays or other output of travel routes, chronological events, diverse travel topics and geographic points of interest along such routes.

As per claim 22, Kaehler discloses wherein said payment information corresponds to a credit card, debit card, or bank account, or a combination thereof.(see column 18 lines 11-23).

As per claim 23, Kaehler discloses further comprising transmitting additional customer information to said host transaction processing system, associating said additional customer information with said transmitter identification data and said payment information, and storing said associated additional customer information, transmitter identification data and said payment information. (see column 12 lines 28 -65 and column 19 lines 3-67 and column 19 lines 11-23 and fig: 9).

As per claim 24, Kaehler discloses a method for enrolling users in a transaction processing program, comprising:

receiving transmitter identification data and payment information from a customer transponder at one of a plurality of point-of-sale devices(see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9) transmitting said transmitter identification data and said payment information to a host transaction processing system(see column 12 lines 28 -65 and column 19 lines 3-67) electronically assigning a unique customer identifier that corresponds to said transmitter identification data see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65 and fig: 9) associating said unique customer identifier, said transmitter identification data and said payment information and comprising said associated unique customer identifier, transmitter identification data and payment information in said host transaction processing system. see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65 and fig: 9). Kaehler fail to explicitly teach electronically enrolling a user associated with the a customer transponder by storing enrollment data.

However DeLorane discloses in FIG. 2 and further disclosed relative to ACCTS in FIG. 4 and to FIG. 8, the Accounting Subsystem manages ACCOUNTING DATA within the simple relational data structure shown in FIG. 3. ACCOUNTING DATA is involved in various transactional operations in TRIPS, such as: (1) user registration or member enrollment, plus the related "free" versus "valuable" access/output differentials; (2) accounting for travel service/information transactions, and other compensable exchanges among TRIPS site operators, retail users and/or participating third-party providers, for purposes of invoicing and billing in accord with standing TRIPS site policies and contractual arrangements; and (3) tracking and dispensing statistical data or "ratings" for the TRIPS online or Internet site usage or "hits" on the overall site and/or specified parts thereof--as an index or measure of participation and/or promotional value. These TRIPS transactional data functions are detailed hereinafter, referring particularly to FIGS. 4 and 8.(see column 30 lines 18-36 and column 33 lines 53-67 and column 34 lines 1-4 and column 7 lines 66-67 and column 8 lines 1-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kaehler to include electronically enrolling a user associated with the a customer transponder by storing enrollment data taught by DeLorane in order to provide a completely integrated system that enable an individual to plan, review, locate, schedule and select or execute customized or personalized travel arrangements and activities in

association with map displays or other output of travel routes, chronological events, diverse travel topics and geographic points of interest along such routes.

As per claim 25, Kaehler discloses wherein said payment information corresponds to a credit card, debit card, or bank account, or a combination thereof. (see column 18 lines 11-23).

As per claim 26, Kaehler discloses further comprising transmitting additional customer information to said host transaction processing system, associating said additional customer information with said transmitter identification data and said payment information, and storing said associated additional customer information, transmitter identification data and said payment information. (see column 12 lines 28 -65 and column 19 lines 3-67 and column 19 lines 11-23 and fig: 9).

As per claim 52, Kaehler further comprising:
providing the customer transponder associated with the transmitter identification data to a customer. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9).

As per claim 53, Kaehler discloses wherein the providing the customer transponder and receiving the transmitter data and payment information occurs at a merchant location. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

As per claim 54, Kaehler discloses further comprising:
providing the customer transponder associated with the transmitter identification data to a customer. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

As per claim 55, Kaehler discloses wherein the providing the customer transponder and receiving the transmitter data and payment information occurs at a merchant location. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

As per claim 56, Kaehler discloses further comprising:
verifying the payment information. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

As per claim 57, Kaehler discloses further comprising:
verifying the payment information. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

As per claim 58, Kaehler discloses a system, comprising:
a merchant reader that receives transmitter identification data and payment information,

electronically associates said transmitter identification data with said payment information, and transmits said associated transmitter identification data and said payment information to a host transaction processing system(see column 12 lines 28 -65 and column 19 lines 3-67) and a host processing system that receives said transmitted information(see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

and comprising said associated transmitter identification data and said payment information in said host transaction processing system. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9).

Kaehler fail to explicitly enrolls a user associated with a customer transmitter by storing enrollment data.

However DeLorane discloses in FIG. 2 and further disclosed relative to ACCTS in FIG. 4 and to FIG. 8, the Accounting Subsystem manages ACCOUNTING DATA within the simple relational data structure shown in FIG. 3. ACCOUNTING DATA is involved in various transactional operations in TRIPS, such as: (1) user registration or member enrollment, plus the related "free" versus "valuable" access/output differentials; (2) accounting for travel service/information transactions, and other compensable exchanges among TRIPS site operators, retail users and/or participating third-party providers, for purposes of invoicing and billing in accord with standing TRIPS site policies and contractual arrangements; and (3) tracking and dispensing statistical data or "ratings" for the TRIPS online or Internet site usage or "hits" on the overall site and/or specified parts thereof--as an index or measure of participation and/or promotional value. These TRIPS transactional data functions are detailed hereinafter, referring particularly to FIGS. 4 and 8.(see column 30 lines 18-36 and column 33 lines 53-67 and column 34 lines 1-4 and column 7 lines 66-67 and column 8 lines 1-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kaehler to include enrolls a user associated with a customer transmitter by storing enrollment data taught by DeLorane in order to provide a completely integrated system that enable an individual to plan, review, locate, schedule and select or execute customized or personalized travel arrangements and activities in association with map displays or other output of travel routes, chronological events, diverse travel topics and geographic points of interest along such routes.

As per claim 59, Kaehler discloses wherein said payment information corresponds to a credit card, debit card, or bank account, or a combination thereof. (see column 18 lines 11-23).

As per claim 60, Kaehler discloses wherein said merchant reader receives additional customer information and transmits the additional customer information to said host transaction processing system, and wherein said host processing system associates said additional customer information with said transmitter identification data and said payment information, and stores said associated additional customer information, transmitter identification data and said payment information(see column 12 lines 28 -65 and column 19 lines 3-67 and column 19 lines 11-23 and fig: 9).

As per claim 61, Kaehler discloses wherein said merchant reader is associated with a point-of-sale device. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9).

As per claim 62, Kaehler discloses a system, comprising:
a merchant reader that receives transmitter identification data and payment information and transmits said transmitter identification data and said payment information to a host transaction processing system(see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9) and a host transaction processing system that electronically assigns a unique customer identifier that corresponds to said transmitter identification data associates said unique customer identifier(see column 12 lines 28 -65 and column 19 lines 3-67) said transmitter identification data and said payment information(see column 12 lines 28 -65 and column 19 lines 3-67) comprising said associated unique customer identifier, transmitter identification data and payment information in said host transaction processing system. (see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65 and fig: 9).

Kaehler fail to explicitly teach and enrolls a user associated with a customer transmitter by storing enrollment data.

However DeLorane discloses in FIG. 2 and further disclosed relative to ACCTS in FIG. 4 and to FIG. 8, the Accounting Subsystem manages ACCOUNTING DATA within the simple relational data structure shown in FIG. 3. ACCOUNTING DATA is involved in various transactional operations in TRIPS, such as: (1) user registration or member enrollment, plus the related "free" versus "valuable" access/output differentials; (2) accounting for travel service/information transactions, and other compensable exchanges among TRIPS site operators,

retail users and/or participating third-party providers, for purposes of invoicing and billing in accord with standing TRIPS site policies and contractual arrangements; and (3) tracking and dispensing statistical data or "ratings" for the TRIPS online or Internet site usage or "hits" on the overall site and/or specified parts thereof--as an index or measure of participation and/or promotional value. These TRIPS transactional data functions are detailed hereinafter, referring particularly to FIGS. 4 and 8.(see column 30 lines 18-36 and column 33 lines 53-67 and column 34 lines 1-4 and column 7 lines 66-67 and column 8 lines 1-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kaehler to include enrolls a user associated with a customer transmitter by storing enrollment data taught by DeLorane in order to provide a completely integrated system that enable an individual to plan, review, locate, schedule and select or execute customized or personalized travel arrangements and activities in association with map displays or other output of travel routes, chronological events, diverse travel topics and geographic points of interest along such routes.

As per claim 63, Kaehler discloses wherein said payment information corresponds to a credit card, debit card, or bank account, or a combination thereof. (see column 18 lines 11-23).

As per claim 64, Kaehler discloses wherein said merchant reader receives additional customer information and transmits the additional customer information to said host transaction processing system, and wherein said host processing system associates said additional customer information with said transmitter identification data and said payment information, and stores said associated additional customer information, transmitter identification data and said payment information. (see column 12 lines 28 -65 and column 19 lines 3-67 and column 19 lines 11-23 and fig: 9).

As per claim 65, Kaehler discloses wherein said merchant reader is associated with a point-of-sale device. (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

As per claim 66, Kaehler discloses a method for enrolling users in a transaction processing program, comprising:
receiving transmitter identification data and payment information at a point-of-sale device automatically associating said transmitter identification data with said payment information(see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9)

transmitting said associated transmitter identification data and said payment information to a host transaction processing system(see column 12 lines 28 -65 and column 19 lines 3-67) and comprising said associated transmitter identification data and said payment information in said host transaction processing system. (see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65 and fig: 9).

Kaehler fail to explicitly teach automatically enrolling a user associated with a customer transponder by storing enrollment data.

However DeLorane discloses in FIG. 2 and further disclosed relative to ACCTS in FIG. 4 and to FIG. 8, the Accounting Subsystem manages ACCOUNTING DATA within the simple relational data structure shown in FIG. 3. ACCOUNTING DATA is involved in various transactional operations in TRIPS, such as: (1) user registration or member enrollment, plus the related "free" versus "valuable" access/output differentials; (2) accounting for travel service/information transactions, and other compensable exchanges among TRIPS site operators, retail users and/or participating third-party providers, for purposes of invoicing and billing in accord with standing TRIPS site policies and contractual arrangements; and (3) tracking and dispensing statistical data or "ratings" for the TRIPS online or Internet site usage or "hits" on the overall site and/or specified parts thereof--as an index or measure of participation and/or promotional value. These TRIPS transactional data functions are detailed hereinafter, referring particularly to FIGS. 4 and 8.(see column 30 lines 18-36 and column 33 lines 53-67 and column 34 lines 1-4 and column 7 lines 66-67 and column 8 lines 1-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kaehler to include automatically enrolling a user associated with a customer transponder by storing enrollment data taught by DeLorane in order to provide a completely integrated system that enable an individual to plan, review, locate, schedule and select or execute customized or personalized travel arrangements and activities in association with map displays or other output of travel routes, chronological events, diverse travel topics and geographic points of interest along such routes.

As per claim 67, Kaehler discloses wherein said payment information corresponds to a credit card, debit card, or bank account, or a combination thereof. (see column 18 lines 11-23).

As per claim 68, Kaehler discloses further comprising transmitting additional customer information to said host transaction processing system, associating said additional customer information with said transmitter identification data and said payment information, and storing said associated additional customer information, transmitter identification data and said payment information. (see column 12 lines 28 -65 and column 19 lines 3-67 and column 19 lines 11-23 and fig: 9).

As per claim 69, Kaehler discloses a method for enrolling users in a transaction processing program, comprising:
receiving transmitter identification data and payment information at one of
a plurality of point-of-sale devices (see column 7 lines 1-10 and column 19 lines 3-67 and fig: 9) transmitting said transmitter identification data and said payment information to a host transaction processing system(see column 12 lines 28 -65 and column 19 lines 3-67) automatically assigning a unique customer identifier that corresponds to said transmitter identification data(see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65 and fig: 9) associating said unique customer identifier, said transmitter identification data and said payment information; comprising said associated unique customer identifier, transmitter identification data and payment information in said host transaction processing system. (see column 7 lines 1-10 and column 19 lines 3-67 and column 12 lines 28-65 and fig: 9).

Kaehler fail to explicitly teach and automatically enrolling a user associated with a customer transponder by storing enrollment data.

However DeLorane discloses in FIG. 2 and further disclosed relative to ACCTS in FIG. 4 and to FIG. 8, the Accounting Subsystem manages ACCOUNTING DATA within the simple relational data structure shown in FIG. 3. ACCOUNTING DATA is involved in various transactional operations in TRIPS, such as: (1) user registration or member enrollment, plus the related "free" versus "valuable" access/output differentials; (2) accounting for travel service/information transactions, and other compensable exchanges among TRIPS site operators, retail users and/or participating third-party providers, for purposes of invoicing and billing in accord with standing TRIPS site policies and contractual arrangements; and (3) tracking and dispensing statistical data or "ratings" for the TRIPS online or Internet site usage or "hits" on the overall site and/or specified parts thereof--as an index or measure of participation and/or

promotional value. These TRIPS transactional data functions are detailed hereinafter, referring particularly to FIGS. 4 and 8.(see column 30 lines 18-36 and column 33 lines 53-67 and column 34 lines 1-4 and column 7 lines 66-67 and column 8 lines 1-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kaehler to include and automatically enrolling a user associated with a customer transponder by storing enrollment data taught by DeLorane in order to provide a completely integrated system that enable an individual to plan, review, locate, schedule and select or execute customized or personalized travel arrangements and activities in association with map displays or other output of travel routes, chronological events, diverse travel topics and geographic points of interest along such routes.

As per claim 70, Kaehler discloses wherein said payment information corresponds to a credit card, debit card, or bank account, or a combination thereof. (see column 18 lines 11-23).

As per claim 71, Kaehler discloses further comprising transmitting additional customer information to said host transaction processing system, associating said additional customer information with said transmitter identification data and said payment information, and storing said associated additional customer information, transmitter identification data and said payment information. (see column 12 lines 28 -65 and column 19 lines 3-67 and column 19 lines 11-23 and fig: 9).

Conclusion
RESPONSE TO ARGUMENTS

5. Applicant's arguments filed 3/10/2008 has been fully considered but they are moot in view of new grounds of rejections.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLEMENT B. GRAHAM whose telephone number is (571)272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CG   /Kambiz Abdi/
                                                                  Supervisory Patent Examiner, Art Unit
June 12, 2008   3692